

JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

NOV 17 2005

FILED
CLERK'S OFFICE**A CERTIFIED TRUE COPY**

DEC - 5 2005

ATTEST
FOR THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATIONDOCKET NOS. 1657 AND 1699
M 05-1699 MDL

JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

MDL-1657- IN RE VIOXX PRODUCTS LIABILITY LITIGATION**MDL-1699- IN RE BEXTRA AND CELEBREX MARKETING, SALES PRACTICES
AND PRODUCTS LIABILITY LITIGATION****FILED**

DEC 12 2005

(SEE ATTACHED SCHEDULE)

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**MDL-1657 CONDITIONAL TRANSFER ORDER (CTO-31)****WITH SEPARATION, REMAND AND****MDL-1699 CONDITIONAL TRANSFER ORDER (CTO-5)**

On February 16, 2005, the Panel transferred 138 civil actions to the United States District Court for the Eastern District of Louisiana for coordinated or consolidated pretrial proceedings in MDL-1657 pursuant to 28 U.S.C. § 1407. Since that time, 2,150 additional actions have been transferred to the Eastern District of Louisiana. With the consent of that court, all such actions have been assigned to the Honorable Eldon E. Fallon.

On September 6, 2005, the Panel transferred 30 civil actions to the United States District Court for the Northern District of California for coordinated or consolidated pretrial proceedings in MDL-1699 pursuant to 28 U.S.C. § 1407. Since that time, 121 additional actions have been transferred to the Northern District of California. With the consent of that court, all such actions have been assigned to the Honorable Charles R. Breyer.

It appears that the actions on this conditional transfer order involve questions of fact which are common to: 1) the actions in MDL-1657 previously transferred to the Eastern District of Louisiana and assigned to Judge Fallon; and 2) the actions in MDL-1699 previously transferred to the Northern District of California and assigned to Judge Breyer. Each of these actions comprises two sets of claims, as follows: 1) claims relating to the prescription drug Vioxx that involve common questions of fact with the previously transferred MDL-1657 actions; and 2) claims relating to the prescription drugs Bextra and/or Celebrex that involve common questions of fact with the previously transferred MDL-1699 actions.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Eastern District of Louisiana for the reasons stated in the MDL-1657 transfer order of February 16, 2005, 360 F.Supp.2d

Inasmuch as no objection is pending at this time, the stay is lifted.

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CLERK'S OFFICE
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

I hereby certify that the foregoing instrument is a true and correct copy of the original on file in my office.

ATTEST:

RICHARD W. WIEKING
Clerk, U.S. District Court
Northern District of CaliforniaBy *R. C. K.*
Deputy Clerk
Date *12/12/05*

The claims in each action relating to Bextra and/or Celebrex are hereby separated and remanded, under 28 U.S.C. § 1407(a), to their respective transferor courts.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), the resulting Bextra/Celebrex actions are transferred under 28 U.S.C. § 1407 to the Northern District of California for the reasons stated in the MDL-1699 transfer order of September 6, 2005, ____ F.Supp.2d ____ (J.P.M.L. 2005), and, with the consent of that court, assigned to the Honorable Charles R. Breyer.

This order does not become effective until it is filed in the offices of i) the Clerk of the United States District Court for the Eastern District of Louisiana, and ii) the Clerk of the United States District Court for the Northern District of California. The transmittal of this order to said Clerks shall be stayed fifteen (15) days from the entry thereof and if any party files a notice of opposition with the Clerk of the Panel within this fifteen (15) day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:

Michael J. Beck

Michael J. Beck
Clerk of the Panel

**SCHEDULE CTO-31 - TAG-ALONG ACTIONS
DOCKET NO. 1657
IN RE VIOXX PRODUCTS LIABILITY LITIGATION**

**SCHEDULE CTO-5 - TAG-ALONG ACTIONS
DOCKET NO. 1699**

**IN RE BEXTRA AND CELEBREX MARKETING, SALES PRACTICES AND PRODUCTS
LIABILITY LITIGATION**

<u>DIST. DIV. C.A. #</u>	<u>CASE CAPTION</u>
ALABAMA NORTHERN ALN 2 05-2059	Charlotte Woodruff, et al. v. Merck & Co., Inc., et al.
CALIFORNIA NORTHERN CAN 4 05-3943	Warren Wayne Graham v. Merck & Co., Inc., et al.
KENTUCKY EASTERN KYE 7 05-329	Patricia M. Moore v. Merck & Co., Inc., et al. Opposed 12/2/05
KENTUCKY WESTERN KYW 3 05-561	Rhoda Overstreet v. Merck & Co., Inc., et al. Opposed 12/2/05
KYW 3 05-562	Randall R. Jackson, et al. v. Merck & Co., Inc., et al. Opposed 12/2/05
KYW 3 05-577	Bonnie Mullins, et al. v. Merck & Co., Inc., et al. Opposed 12/2/05
KYW 3 05-623	Ernest D. Weber, Jr., et al. v. Merck & Co., Inc., et al. Opposed 12/2/05
MINNESOTA MN 0 05-2305	Ira Basinger, et al. v. Merck & Co., Inc., et al.
MISSOURI EASTERN MOE 4 05-1562	Lonnie Case v. Merck & Co., Inc., et al. Opposed 12/2/05
MOE 4 05-1563	Jessie Abbott v. Merck & Co., Inc., et al. Opposed 12/2/05
MOE 4 05-1564	Bertha Armstead v. Merck & Co., Inc., et al. Opposed 12/2/05
MOE 4 05-1565	Berlin Jenkerson v. Merck & Co., Inc., et al. Opposed 12/2/05
MOE 4 05-1587	Lash Angel, et al. v. Merck & Co., Inc., et al.
MOE 4 05-1588	Martha Vowell, et al. v. Merck & Co., Inc., et al.
MOE 4 05-1589	Martha Hallman, et al. v. Merck & Co., Inc., et al.
MOE 4 05-1590	David Wagner v. Merck & Co., Inc., et al. Opposed 12/2/05
MOE 4 05-1592	John Kaczmareczyk v. Merck & Co., Inc., et al. Opposed 12/2/05
MOE 4 05-1666	Jerry M. Dance v. Merck & Co., Inc., et al. Opposed 12/2/05
MOE 4 05-1669	Doris Greshaw v. Merck & Co., Inc., et al. Opposed 12/2/05
MOE 4 05-1741	Jeanette Lasky v. Merck & Co., Inc., et al. Opposed 12/2/05
MOE 4 05-1744	Francesca A. Salmieri v. Merck & Co., Inc., et al. Opposed 12/2/05
MOE 4 05-1746	Vincent Calamia v. Merck & Co., Inc., et al. Opposed 12/2/05
MOE 4 05-1747	Thomas Kasper v. Merck & Co., Inc., et al. Opposed 12/2/05
MOE 4 05-1748	Bernadean Acreman v. Merck & Co., Inc., et al. Opposed 12/2/05
MOE 4 05-1750	Josephine Tourville v. Merck & Co., Inc., et al. Opposed 12/2/05
MOE 4 05-1751	Jacqueline M. Lawrence v. Merck & Co., Inc., et al. Opposed 12/2/05
MOE 4 05-1752	Adele Anthon v. Merck & Co., Inc., et al. Opposed 12/2/05
MOE 4 05-1753	James B. Elgin, Jr. v. Merck & Co., Inc., et al. Opposed 12/2/05
MOE 4 05-1755	Richard Menzel v. Merck & Co., Inc., et al. Opposed 12/2/05
MOE 4 05-1756	Marcy A. West v. Merck & Co., Inc., et al. Opposed 12/2/05
MOE 4 05-1757	Hilda L. Tucker v. Merck & Co., Inc., et al. Opposed 12/2/05
MOE 4 05-1758	Arzie Stephens v. Merck & Co., Inc., et al. Opposed 12/2/05
MOE 4 05-1761	Mattie Boswell, et al. v. Merck & Co., Inc., et al.
MOE 4 05-1785	Lavella Hon v. Pfizer, Inc., et al.
MOE 4 05-1791	John Ayers v. Pfizer, Inc., et al.

SCHEDULE CTO-31 TAG-ALONG ACTIONS (MDL-1657)
 SCHEDULE CTO-5 TAG-ALONG ACTIONS (MDL-1699)

PAGE 2 of 2

<u>DIST. DIV. C.A. #</u>	<u>CASE CAPTION</u>
MOE 4 05-1792	Sharron Mann v. Pfizer, Inc., et al.
MOE 4 05-1849	Cheryl Rice, et al. v. Merck & Co., Inc., et al.
MISSOURI WESTERN	
MOW 4 05-934	Charles Reliford, et al. v. Merck & Co., Inc., et al.
MOW 4 05-936	Larry Redman v. Merck & Co., Inc., et al.
NEW YORK NORTHERN	
NYN 5 05-1222	Mary Wegerski v. Merck & Co., Inc., et al.
NYN 6 05-1218	Richard Zupkas, et al. v. Merck & Co., Inc., et al.
OREGON	
OR 3 05-1569	Le Nguyen v. Merck & Co., Inc., et al.
PUERTO RICO	
PR 3 05-2020	William Lopez-Lopez, et al. v. Astra Merck, Inc., et al.
PR 3 05-2022	Juan Lasalle-Lopez, et al. v. Astra Merck, Inc., et al.
PR 3 05-2023	Luz M. Salinas-Roldan, et al. v. Astra Merck, Inc., et al.
PR 3 05-2024	Rosaura Quiles-Rivera, et al. v. Astra Merck, Inc., et al.
PR 3 05-2026	Herminia Sansotta-Navarro, et al. v. Astra Merck, Inc., et al.
PR 3 05-2030	Maria Isabel Velez-Reyes, et al. v. Astra Merck, Inc., et al.
PR 3 05-2033	Elsie Roman-Iglesias, et al. v. Astra Merck, Inc., et al.
PR 3 05-2034	Jose Antonio Alicea-Mercado, et al. v. Astra Merck, Inc., et al.
PR 3 05-2035	Gloria Pilar Santiago-Serrano, et al. v. Astra Merck, Inc., et al.
PR 3 05-2036	Carmen Marcial-Hernandez, et al. v. Astra Merck, Inc., et al.
PR 3 05-2038	Arnaldo Ramos-Martir, et al. v. Astra Merck, Inc., et al.
PR 3 05-2039	Wilfredo Rodriguez-Feliciano, et al. v. Astra Merck, Inc., et al.
PR 3 05-2042	Luis R. Carrion-Velez, et al. v. Astra Merck, Inc., et al.
PR 3 05-2043	Luis Angel Gonzalez-Rodriguez, et al. v. Astra Merck, Inc., et al. Vacated 12/2/05
PR 3 05-2044	Grisella Lopez-Magobet, et al. v. Astra Merck, Inc., et al.
PR 3 05-2045	Teresita Falcon-Matos, et al. v. Astra Merck, Inc., et al.
PR 3 05-2046	Gloria Lamourt-Cardona, et al. v. Astra Merck, Inc., et al.
PR 3 05-2047	Maria Lopez-Sanchez, et al. v. Astra Merck, Inc., et al.
PR 3 05-2048	Esther Cordova-Perez, et al. v. Astra Merck, Inc., et al.
PR 3 05-2050	Hector B. Rivera-Rivera, et al. v. Astra Merck, Inc., et al.
TENNESSEE EASTERN	
TNE 1 05-277	Susan H. Scissons, etc. v. Merck & Co., Inc., et al.

OFFICE OF THE CLERK
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Richard W. Wieking
Clerk

450 Golden Gate Avenue
San Francisco, CA 94102
415.522.2000

12 December 2005

CLERK'S OFFICE
U.S. DISTRICT COURT
SAN JUAN, PR.

U.S. District Court
District of Puerto Rico
150 Carlos Chardon Street
Hato Rey, Puerto Rico 00918

Re: MDL 05-1699 In re Bextra and Celebrex Marketing, Sales Practices and Products Liability Litigation

Title of Case(s)

Hector B. Rivera-Rivera, et al -v- Astra Merck, Inc., et al

Your Case Number(s)

C.A. No. 3:05-2050 (SEC)

Dear Clerk:

Enclosed is a certified copy of the order from the Judicial panel on Multidistrict Litigation transferring the above entitled action to the Northern District of California, San Francisco Division. The case has been assigned to the Honorable Charles R. Breyer for coordinated or consolidated pretrial processing pursuant to 28 USC §1407.

Please forward the original record and a certified copy of the docket entries in the case listed above along with the enclosed copy of this transmittal letter to:

United States District Court
Northern District of California
450 Golden Gate Avenue, P.O. Box 36060
San Francisco, CA 94102
Attn: Rufino Santos

If the case is an electronic case filing, please provide us with a temporary log in and a password to directly access your database and to expedite the downloading of the PDF files of prior postings. We appreciate your prompt attention to this matter.

Sincerely yours,
Richard W. Wieking, Clerk

R. C. Santos

By: Rufino Santos
Deputy Clerk

Encl.